



IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
Richmond Division

UNITED STATES OF AMERICA

v.

TRE'SHAWN N. BROOKS

*Defendant.*

Criminal No. 3:22-cr- 110

18 U.S.C. § 371

Conspiracy to Make False Statements in  
Acquiring Firearms

(Count One)

Forfeiture Notice

**CRIMINAL INFORMATION**

THE UNITED STATES ATTORNEY CHARGES THAT:

**COUNT ONE**

(Conspiracy to Make False Statements in Connection with the Acquisition of Firearms)

1. Beginning in or about January 2021, and continuing through in or about June 2021, the exact dates being unknown to the Grand Jury, in the Eastern District of Virginia and elsewhere, defendant TRE'SHAWN N. BROOKS and others, known and unknown to the Grand Jury, did unlawfully and knowingly combine, conspire, and agree with each other to commit an offense against the United States, that is: to unlawfully and knowingly make false and fictitious written statements to licensed firearms dealers within the meaning of Chapter 44, Title 18, United States Code (also known as "federal firearms licensees") in connection with the acquisition of firearms, with such statements intended to and likely to deceive the federal firearm licensees as to a fact material to the lawfulness of the sale of such firearms, in violation of Title 18, United States Code, Section 922(a)(6).

**The Object, Ways, Manner, and Means of the Conspiracy**

2. The object of the conspiracy was to evade federal firearms laws and regulatory

regimes governing the sale of firearm. The ways, manner, and means by which BROOKS and members of the conspiracy accomplished the conspiracy included the following:

3. It was part of the conspiracy that members of the conspiracy asked BROOKS to purchase firearms from federal firearm licensees on their behalf.

4. It was further part of the conspiracy that BROOKS and other members of the conspiracy agreed upon sale prices for firearms that would be purchased at federal firearm licensees.

5. It was further part of the conspiracy that members of the conspiracy specified to BROOKS what firearms to purchase at federal firearm licensees.

6. It was further part of the conspiracy that BROOKS signed false certifications and provided materially false information in Bureau of Alcohol, Tobacco, Firearms and Explosives (“ATF”) Forms 4473 (Firearms Transaction Records) during the purchase of firearms from federal firearm licensees.

7. It was further part of the conspiracy that BROOKS gave firearms purchased from federal firearm licensees to other members of the conspiracy who were not the designated buyers of the firearms as listed on the ATF Forms 4473. Such co-conspirators paid BROOKS for the firearms.

#### **Overt Acts in Furtherance of the Conspiracy**

8. In furtherance of the conspiracy, and to effect the objects thereof, the defendant and his conspirators committed overt acts in the Eastern District of Virginia and elsewhere, including, but not limited to, the following:

##### *Co-Conspirator-1*

9. On or about January 20, 2021, Co-Conspirator (“CC”) 1 asked BROOKS whether

BROOKS would purchase a firearm for CC-1 when BROOKS got off work. BROOKS agreed and admonished CC-1 via text message that he “cant b hot” with the gun BROOKS would purchase. When CC-1 stated that he was not “hot” with his guns, BROOKS replied in a text message, “Idk [I don’t care] what u do w yo guns . . . Ik [I know] im hot w mine.”

10. In the same text message conversation on January 20, 2021, BROOKS clarified he was not going to put a gun “in my name for nobody for free” but that he was not going to “make [CC-1] pay full price either.” BROOKS and CC-1 agreed on a price for the gun.

11. The next day, on January 21, 2021, CC-1 told BROOKS via text message, “Ik [I know] exactly what I want. . . They got my John wick gun in my favorite color.”

12. Thereafter, on January 21, 2021, BROOKS purchased a Walther, Model Q5 Match, 9 mm caliber pistol, bearing serial number FCY2072, from Southern Police Equipment, a federal firearm licensee, in the Eastern District of Virginia. To receive the weapon, BROOKS completed an ATF Form 4473 in which he answered “Yes” to the question:

“Are you the actual transferee/buyer of the firearm(s) listed on this form and any continuation sheet(s) (ATF Form 5300.9A)? **Warning: You are not the actual transferee/buyer if you are acquiring the firearm(s) on behalf of another person. If you are not the actual transferee/buyer, the licensee cannot transfer the firearm(s) to you.**”

13. Moreover, in this same ATF Form 4473, BROOKS signed a certification that his answer to the aforementioned question was “true, correct, and complete. . .[and that] I understand that answering ‘yes’ to [the above question] if I am not the actual transferee/buyer is a crime punishable as a felony under Federal law, and may also violate State and/or local law.”

14. After completing the paperwork and purchase of the Walther, Model Q5 Match, 9 mm caliber pistol, bearing serial number FCY2072, BROOKS provided the pistol to CC-1.

15. Thereafter, on June 27, 2021, BROOKS purchased a Pioneer Arms Hellpup



7.62x39 caliber pistol, bearing serial number PAC1151404, from LMG (Gun Show), a federal firearm licensee, in the Eastern District of Virginia. To receive the weapon, BROOKS completed an ATF Form 4473 in which he answered "Yes" to the question:

**"Are you the actual transferee/buyer of the firearm(s) listed on this form and any continuation sheet(s) (ATF Form 5300.9A)? Warning: You are not the actual transferee/buyer if you are acquiring the firearm(s) on behalf of another person. If you are not the actual transferee/buyer, the licensee cannot transfer the firearm(s) to you."**

16. Moreover, in this same ATF Form 4473, BROOKS signed a certification that his answer to the aforementioned question was "true, correct, and complete. . .[and that] I understand that answering 'yes' to [the above question] if I am not the actual transferee/buyer is a crime punishable as a felony under Federal law, and may also violate State and/or local law."

17. On or about July 21, 2021, law enforcement recovered the following firearms from the possession of CC-1: 1) Walther, Model Q5 Match, 9 mm caliber pistol, bearing serial number FCY2072; and 2) a Pioneer Arms Hellpup 7.62x39 caliber pistol, bearing serial number PAC1151404. BROOKS admitted to law enforcement that he purchased these firearms for CC-1 because CC-1 was not 21 years of age as yet.

CC-2

18. In or about June 2021, CC-2 and BROOKS agreed that BROOKS would purchase a firearm on CC-2's behalf. CC-2 was a minor-aged individual at the time and was not eligible to purchase a firearm from a federal firearm licensee.

19. On June 27, 2021, CC-2 designated for BROOKS several pistols via text message: a Smith & Wesson, a Taurus, and a 9 mm Glock. Within an hour of CC-2 sending these designations to BROOKS via text message, BROOKS confirmed that he had procured a Taurus, Model G2C, 9 mm pistol, (*i.e.*, a "G2") for CC-2. BROOKS then confirmed the price of the

firearm with CC-2. Thereafter, CC-2 inquired via text message whether the money that he had provided BROOKS was sufficient for BROOKS to also purchase ammunition for the gun: "I got some bread left for ammo?" BROOKS responded by providing an accounting of the amount of money BROOKS had on CC-2's behalf after the purchase of the pistol. BROOKS agreed to purchase ammunition for CC-2.

20. On June 27, 2021, BROOKS purchased a Taurus, Model G2C, 9 mm caliber pistol, bearing serial number ACD798500, from iShootFirearms, a federal firearm licensee, in the Eastern District of Virginia. To receive the weapon, BROOKS completed an ATF Form 4473 in which he answered "Yes" to the question:

"Are you the actual transferee/buyer of the firearm(s) listed on this form and any continuation sheet(s) (ATF Form 5300.9A)? **Warning: You are not the actual transferee/buyer if you are acquiring the firearm(s) on behalf of another person. If you are not the actual transferee/buyer, the licensee cannot transfer the firearm(s) to you.**"

21. Moreover, in this same ATF Form 4473, BROOKS signed a certification that his answer to the aforementioned question was "true, correct, and complete. . .[and that] I understand that answering 'yes' to [the above question] if I am not the actual transferee/buyer is a crime punishable as a felony under Federal law, and may also violate State and/or local law."

22. After completing the paperwork and purchase of the Taurus, Model G2C, 9 mm caliber pistol bearing serial number ACD798500, BROOKS provided the pistol to CC-2.

23. On or about July 21, 2021, law enforcement recovered the following firearm from CC-2: Taurus, Model G2C, 9 mm caliber pistol bearing serial number ACD798500.

*CC-3 and 4*

24. On or about April 9, 2021, BROOKS purchased a Glock, Model 17, 9mm caliber pistol, bearing the serial number BTBB209, from Town Police Supply, a federal firearm licensee,

in the Eastern District of Virginia. To receive the weapon, BROOKS completed an ATF Form 4473 in which he answered "Yes" to the question:

"Are you the actual transferee/buyer of the firearm(s) listed on this form and any continuation sheet(s) (ATF Form 5300.9A)? **Warning: You are not the actual transferee/buyer if you are acquiring the firearm(s) on behalf of another person. If you are not the actual transferee/buyer, the licensee cannot transfer the firearm(s) to you.**"

25. Moreover, in this same ATF Form 4473, BROOKS signed a certification that his answer to the aforementioned question was "true, correct, and complete. . .[and that] I understand that answering 'yes' to [the above question] if I am not the actual transferee/buyer is a crime punishable as a felony under Federal law, and may also violate State and/or local law."

26. The firearm was recovered by the Richmond Police Department on May 7, 2021 in the possession, custody, or control of CC-3 and 4 during the execution of a search warrant in a homicide investigation. On or about July 21, 2021, BROOKS admitted that he indeed sold the Glock, Model 17, 9mm caliber pistol, bearing the serial number BTBB209 to CC-3.  
(In violation of Title 18, United States Code, Section 371.)

#### **FORFEITURE ALLEGATION**

Pursuant to Rule 32.2(a) Fed. R. Crim. P., defendant, TRE'SHAWN BROOKS is hereby notified that if convicted of the offenses charged in Counts One of this Criminal Information, he shall forfeit any firearm or ammunition involved in or used in any knowing violation of the offense or any violation of any other criminal law of the United States.

Property subject to forfeiture includes, but is not limited to:

a Walther, Model Q5 Match, 9 mm caliber pistol, serial number FCY2072;

a Pioneer Arms Hellpup 7.62x39 caliber pistol, serial number PAC1151404

a Taurus, Model G2C, 9 mm caliber pistol, serial number ACD798500;

a Glock 17 9 mm pistol, serial number BTBB209;

and

any and all accompanying magazines and ammunition.

(In accordance with Title 18, United States Code, Section 924(d), incorporated by Title 28, United States Code, Section 2461(c).)

Respectfully submitted,

JESSICA D. ABER  
UNITED STATES ATTORNEY

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